

Attorney's Docket No. 045600/275114

PATENT 2-72

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Hammer et al. Confirmation No.: 4592
Appl. No.: 10/796,953 Group Art Unit: 1638
Filed: March 10, 2004 Examiner: Not Yet Assigned
For: GDC-1 GENES CONFERRING HERBICIDE RESISTANCE

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL CITATION UNDER 37 C.F.R. § 1.97

Attached is a Supplemental Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US2004/007180 not more than three months prior to the filing of this Statement. In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The Search Report is enclosed along with any cited foreign patent documents and non-patent literature documents in accordance with 37 CFR 1.98(a)(2).

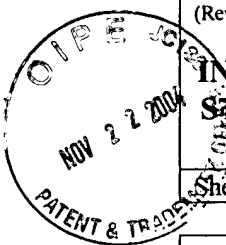
It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By identifying the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead identifying the listed documents for the sake of full disclosure.

Respectfully submitted,

Karen M. Morse

Karen M. Morse
Registration No. 54,324

CUSTOMER NO. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Raleigh Office (919) 862-2260	CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 18, 2004 <i>Nora C. Martinez</i> Nora C. Martinez
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Substitute for form 1449/PTO
(Revised 04/2003)

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 1

Complete if Known

Application Number	10/796,953
Filing Date	March 10, 2004
First Named Inventor	Hammer et al.
Group Art Unit	1638
Examiner Name	Not Yet Assigned
Attorney Docket Number	045600/275114

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	<u>Document Number</u> Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	<u>Foreign Patent Document</u> Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached

OTHER DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	English Language Translation Attached
	12	EMBL Database Report for Accession No. CB901774, April 26, 2003 (XP-002297562)	
	13	EMBL Database Report for Accession No. CF943872, November 20, 2003 (XP-002297561)	
	14	STALKER, D.M., "Developing Herbicide Resistance in Crops by Gene Transfer Technology," <i>Plant Biotechnology</i> , Vol. 1, 1990, pp. 82-104, Routledge, Chapman and Hall: New York, New York, USA and Blackie and Sons Ltd.: Glasgow, Scotland, UK	
	15	STOCK, M. et al., "Degradation of Glyphosate in Excised Leaves of Tobacco and Sugar Beet," <i>Journal of Plant Physiology</i> , 1991, pp. 171-174, Vol. 139, No. 2	

RTA01/2169218v1

Examiner Signature		Date Considered	
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*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.